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2	United States Attorney District of Nevada Nevada Bar Number 7709 BIANCA R. PUCCI Nevada Bar Number 16129 Assistant United States Attorney			
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	Phone: (702) 388-6336			
6	Email: bianca.pucci@usdoj.gov Attorneys for the United States of America			
7 8	UNITED STATES DISTRICT COURT DISTRICT OF NEVADA			
9	UNITED STATES OF AMERICA,	Case No.: 2:22-cr-00104-JAD-BNW		
10	Plaintiff,	Stipulation for Extension of Time (First Request)		
11	VS.	(1 nsi ittquisi)		
12	MURRELL VAILES,			
13	Defendant.			
14	IT IS HEREBY STIPULATED AND A	AGREED, by and between Jason M. Frierson,		
15	United States Attorney, and Bianca R. Pucci, Assistant United States Attorney, counsel for the			
16	United States of America, and Joanne Diamond, Assistant Federal Public Defender, counsel			
17	for Defendant Murrell Vailes, that the date for the Government to file a response to the			
18	Defendant's Motion to Suppress Evidence (ECF No. 22) be extended for three weeks,			
19	specifically to September 7, 2022 .			
20	This stipulation is entered for the following reasons:			
21	1. The Defendant's Motion was file	ed and served on August 3, 2022. See ECF No.		
22	22. The Government's response	deadline is presently August 17, 2022.		
23	2. Counsel for the Defendant reach	ned out to the Government on August 8, 2022, to		
24	discuss the case. The Government	nt reached back out to defense counsel to discuss		

1			the case further on August 10, 2022. Defense counsel was not available, and is
2			currently unavailable until August 17, 2022, to discuss the case and the instant
3			motion.
4		3.	Further proceedings on the instant motion will depend on the outcome of those
5		υ.	discussions.
		4	
6		4.	The motions deadline in this case is set for September 28, 2022, and responses
7			would be due October 12, 2022. See ECF No. 21. A continuance of the response
8			for the instant motion will not delay the proceedings because the requested
9			response date is still prior to the deadlines previously set by the Court.
10		5.	This Court set a hearing on the motion for September 22, 2022. See ECF No. 23.
11			A continuance of the response for the instant motion will not delay the
12			proceedings because the requested response date still allows for the parties to
13			fully brief the motion without needing to change the hearing date.
14		6.	The additional time requested herein is not sought for purposes of delay, but to
15			allow the parties to meet and confer regarding the case and instant motion, and
16			to allow counsel for the Government time to adequately respond to the
17			Defendant's motion, if necessary, based on the outcome of those discussions.
18		7.	Additionally, denial of this request for continuance could result in a miscarriage
19			of justice.
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1	8. This is the first stipulation filed herein	to continue the Government's response
2	deadline.	
3	DATED : August 11, 2022	
4	Respectfully submitted,	
5 6	JASON M. FRIERSON United States Attorney	
7	/s/ Bianca R. Pucci	/s/ Joanne Diamond
8	BIANCA R. PUCCI Assistant United States Attorney	JOANNE DIAMOND Assistant Federal Public Defender Counsel for Defendant
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1	UNITED STATES DISTRICT COURT			
2	DISTRICT OF NEVADA			
	* * *			
3				
4	UNITED S	TATES OF AMERICA,)	Case No. 2:22-cr-00104-JAD-BNW
5		Plaintiff,)	
6	v.)	
7	MURRELI	L VAILES,)	
8		Defendant.)	
9)	
10	<u>FINDINGS OF FACT</u>			
11	Based on the pending Stipulation of counsel, and good cause appearing therefore, the			
12	Court finds that:			
13	1.	The Defendant's Motion	was file	ed and served on August 3, 2022. See ECF No.
14		22. The Government's re	esponse	deadline is presently August 17, 2022.
15	2.	Counsel for the Defendar	nt reach	ed out to the Government on August 8, 2022, to
16		discuss the case. The Gov	vernme	nt reached back out to defense counsel to discuss
17		the case further on Augus	st 10, 20	022. Defense counsel was not available, and is
18		currently unavailable unti	il Augu	est 17, 2022, to discuss the case and the instant
19		motion.		
20	3.	Further proceedings on the	ne insta	nt motion will depend on the outcome of those
21		discussions.		
22	4.	The motions deadline in	this cas	e is set for September 28, 2022, and responses
23		would be due October 12	, 2022.	See ECF No. 21. A continuance of the response
24				

1		for the instant motion will not delay the proceedings because the requested	
2		response date is still prior to the deadlines previously set by the Court.	
3	5.	This Court set a hearing on the motion for September 22, 2022. See ECF No. 23.	
4		A continuance of the response for the instant motion will not delay the	
5		proceedings because the requested response date still allows for the parties to	
6		fully brief the motion without needing to change the hearing date.	
7	6.	The additional time requested herein is not sought for purposes of delay, but to	
8		allow the parties to meet and confer regarding the case and instant motion, and	
9		to allow counsel for the Government time to adequately respond to the	
10		Defendant's motion, if necessary, based on the outcome of those discussions.	
11	7.	Additionally, denial of this request for continuance could result in a miscarriage	
12		of justice.	
13	8.	This is the first stipulation filed herein to continue the Government's response	
14		deadline.	
15	For a	11 of the above-stated reasons, the ends of justice would best be served by a	
16	continuance	of the Government's response deadline.	
17		CONCLUSIONS OF LAW	
18	The additional time requested herein is not sought for purposes of delay, but to allow the		
19	Government with adequate time to respond to the Defendant's motion. The failure to grant said		
20	continuance would likely result in a miscarriage of justice.		
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1	<u>ORDER</u>
2	IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the
3	Government to respond to the Defendant's Motion to Suppress is extended until
4	September 7, 2022.
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6	DATED this 12th day of August, 2022.
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8	Bulowekan
9	Honorable Brenda Weksler UNITED STATES MAGISTRATE JUDGE
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